

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

BRANDON CALLIER,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 3:23-CV-00375-KC
)	
UNIFIED HEALTH, LLC,)	
)	
Defendant.)	

DECLARATION OF WHITTNEY HUNSAKER

I, Whitney Hunsaker, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am engaged by Unified Health LLC (“Unified Health”) as Executive Vice President and have been in that role since February 2018.

2. Among other services, Unified Health provides Medicare plans to their members and aims to make the Medicare process easy to understand.

3. To that end, Unified Health partners with other Medicare resource companies who connect individuals looking for health coverage and other products with the provider best positioned to serve their needs.

4. One such partner is PlanEnroll. Prospective plan members looking to be connected with a licensed insurance agent can submit an online request for a call from an insurance agent on PlanEnroll’s website at <https://new.planenroll.com/>.

5. Unified Health’s records indicate that PlanEnroll provided Unified Health with request-for-callback information showing that an Elston Tatum (“Mr. Tatum”), located in Tyler, Texas, submitted an online request for a call from an insurance agent through PlanEnroll on July 13, 2023, listing his phone number as (915) 383–4604.

6. Unified Health understands that PlanEnroll would neither have nor provide this information to Unified Health unless Mr. Tatum requested to be called at the number provided to discuss Medicare options.

7. Based on this understanding, Unified Health attempted to contact Mr. Tatum at the number provided. All calls were made after the July 13, 2023 request-for-callback.

8. According to Unified Health's records, no outgoing calls were "answered," meaning no conversation occurred between a Unified Health broker and an answering recipient at the at-issue phone number. Two outgoing calls—one on September 27, 2023 and one on October 28, 2023—connected to the at-issue phone number but Unified Health's records (including recordings of the two outgoing calls on September 27, 2023 and October 28, 2023) show that no communication occurred between Unified Health and the answering individual.

9. On September 27, 2023, one incoming call was made from the at-issue number to Unified Health and lasted 2 minutes and 9 seconds. After this call ended, a Unified Health agent named Carol Ciulla noted into the record: "spoke to son Brandon father has medicare and is at work right now."

10. I reviewed a recording of the September 27, 2023 call. At no point did the caller—who identified himself as "Brandon"—ask Unified Health not to contact him or the number provided. Instead, he indicated interest in being contacted and stated his father has Medicare and would be interested in speaking with Unified Health in two hours.

11. A transcript of the recording is attached hereto as Exhibit 1.


12. Following up on the September 27, 2023 call with Brandon, who had expressed interest to Ms. Ciulla on behalf of his father, Ms. Ciulla placed the two October 28, 2023 calls noted in Plaintiff's First Amended Complaint.

* * *

13. I am over 18 years of age, of sound mind, and otherwise competent to make this declaration. If called as a witness, I would and could competently testify to the foregoing, which is within my personal knowledge or based upon information that I gathered within the course and scope of my duties as Executive Vice President of Unified Health.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 26th day of December, 2023.


Whittney Hunsaker